

Appl. No. 09/940,381  
Amdt. Dated: 11/16/2004  
Reply to Office action of August 6, 2004

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**RESPONSE UNDER 37 CFR § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2631**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application. No.	:	09/940,381	Confirmation No. 4377
Applicant	:	Hossein Alavi	
Filed	:	8/27/2001	
TC/A.U.	:	2631	
Examiner	:	Phuong M. Phu	
Docket No.	:	055123.P280	
Customer No.	:	8791	

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**AMENDMENT UNDER 37 CFR § 1.116**

Sir:

In response to the Office Action of August 6, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CA 90025

FACSIMILE: (714) 557-3347

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## **FACSIMILE COVER SHEET**

NOV 16 2004

Deliver to: Phuong M. Phu, USPTO Art Group: 2631  
Facsimile No.: 703-872-9306 Date: November 16, 2004  
From: William W. Schaal, Reg. No. 39,018  
Our Docket No.: 55123P280 Number of pages 15 including this sheet.  
Application No.: 09/940,381 Filing Date: 8/27/2001  
Docket Due Date(s): 12/6/2004

Enclosed are the following documents:



**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

*I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.*

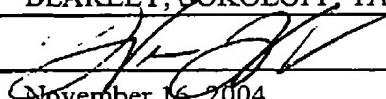
*Susan McFarlane* 11/16/2004  
Susan McFarlane Date

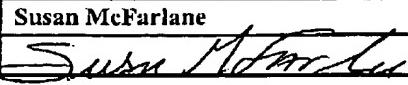
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/940,381
		Filing Date	August 27, 2001
		First Named Inventor	Hossein Alavi
		Art Unit	2631
		Examiner Name	Phuong M. Phu
Total Number of Pages in This Submission	14	Attorney Docket Number	55123P280

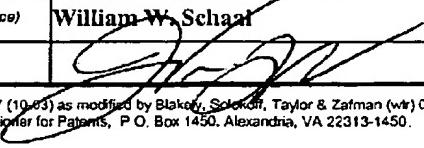
ENCLOSURES <i>(check all that apply)</i>				
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):		
		Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	November 16, 2004

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Susan McFarlane		
Signature		Date	November 16, 2004

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 06/04/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

<b>FEE TRANSMITTAL for FY 2004</b>		<b>Complete if Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/940,381</td> </tr> <tr> <td>Filing Date</td> <td>August 27, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Hossein Alavi</td> </tr> <tr> <td>Examiner Name</td> <td>Phuong M. Phu</td> </tr> <tr> <td>Art Unit</td> <td>2631</td> </tr> <tr> <td>Attorney Docket No.</td> <td>55123P280</td> </tr> </table>				Application Number	09/940,381	Filing Date	August 27, 2001	First Named Inventor	Hossein Alavi	Examiner Name	Phuong M. Phu	Art Unit	2631	Attorney Docket No.	55123P280																																																																																																																																																		
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ADDITIONAL FEES</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Large Entity</th> <th style="width: 30%;">Small Entity</th> <th colspan="2" style="width: 40%;">Fee Description</th> <th style="width: 10%; text-align: right;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th></th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>85</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td></tr> <tr><td>2053</td><td>130</td><td>2053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>785</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2,080</td><td>2255</td><td>1,040</td><td>Extension for reply within fifth month</td></tr> <tr><td>1404</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1,610</td><td>2451</td><td>1,610</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1,370</td><td>2453</td><td>685</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,370</td><td>2501</td><td>685</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>660</td><td>2503</td><td>330</td><td>Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>2460</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>60</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>790</td><td>1809</td><td>395</td><td>Filing a submission after final rejection (37 CFR § 1.129(b))</td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr><td colspan="5" style="text-align: center;">Other fee (specify) _____</td> <td style="text-align: right; 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SUBMITTED BY		Complete if applicable			
Name (Print/Type)	William W. Schaal	Registration No. (Attorney/Agent)	39,018	Telephone	(714) 557-3800
Signature				Date	11/16/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/10/2004.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.